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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/806,465	03/23/2004	Takahiro Kitajima	492322017200	1695	
Barry F Bretso	7590 06/06/2007		EXAM	INER	
Barry E. Bretschneider Morrison & Foerster LLP Suite 300 1650 Tysons Boulevard McLean, VA 22102			WAGGONER,	WAGGONER, TIMOTHY R	
			ART UNIT	PAPER NUMBER	
			3651		
			MAIL DATE	DELIVERY MODE	
			06/06/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1) Responsive to communication(s) filed on 16 April 2007.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1,2 and 4-19 is/are pending in the application.  4a) Of the above claim(s) 8-19 is/are withdrawn from consideration.  5) Claim(s)	· ·	Application No.	Applicant(s)				
Examiner    Timothy R. Waggoner   3651		10/806,465	KITAJIMA ET AL.				
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions dire may be available under the proximate of 37 ER1.13(6), in no event, however, may a reply be timely field after 30x (9) MONTHS from the mailing date of this communication, and the state of the communication of the communication of the state of the communication of the communi	Office Action Summary	Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be audiable under the provision of 37 CFR 1.136(a). In oevent, however, may a reply be timery filed after \$X. (8) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the marrians of the provision of 37 CFR 1.136(a). The very reply received by the Office later than three months after the mailing date of this communication. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any readed patient. See 37 CFR 1.744(b).  Status  1 ∑ Responsive to communication(s) filed on 16 April 2007. 2a)∑ This action is FINAL. 2b)∑ This action is FINAL. 2c)∑ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)∑ Claim(s) 1.2 and 4-19 is/are pending in the application. 4a) Of the above claim(s) 8-19 is/are withdrawn from consideration. 5)∑ Claim(s) 1.2 and 4-19 is/are rejected. 7)∑ Claim(s) 1.2 and 4-7 is/are rejected. 7)∑ Claim(s) 1.2 and 4-7 is/are rejected to 8.2 for the communication is objected to by the Examiner. Application Papers  9)∑ The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.65(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)∑ The drawing(s) filed on 1.2 is/are: a)∑ accepted or b)∑ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.121(d). 11)∑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)∑ All b)∑ Office of the priority documents have been received in App	,	TO EVOIDE - MONTH	(O) OD TUIDTY (OO) DAYO				
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Application/Control Number: 10/806,465

Art Unit: 3651

## **DETAILED ACTION**

## Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1,2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohara et al. USPN 5,342,474 in view of Yamaguchi USPN 6,631,552.

Mohara discloses a dispenser comprising:

(Re claim 1) "a tape feeding system with a drive source ... being adjustable for a plurality of pitches" (figure 7). "a suppressor formed with an opening" (1 figure 11). "a control device setting a feed stop position ... closer to an edge ... smaller then a pre determined size" (figure 15-18).

Mohara does not disclose adjusting the positioning based on the first component of a new tape.

Yamaguchi teaches using the first component to modify the position based on the first component of a new tape.

It would be obvious to one skilled in the art to modify Mohara to make a position adjustment based on the position of the first component on a new tape.

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(Re claim 2) "a shutter ... configured to open when the electronic component is picked" (126 figures 10 and 11, Mohara).

(Re claim 4) "the control device sets the feed position at the center of the opening when the electronic component is larger than the predetermined size" (figure 13, Mohara).

(Re claim 5) "opening is configured so that the electronic component is picked up by a suction nozzle" (13 figure 7, Mohara).

(Re claim 6 and 7) Mohara does not disclose the aid of a recognition camera in the positioning process

Yamaguchi teaches the use of a recognition camera to aid or automate the position adjustment for parts pick up.

It would be obvious to one skilled in the art to modify Mohara to include a recognition camera because it would allow for closer inspection of components to allow for automatic adjustment or to aid the operator in adjusting the feed stop position.

## Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Waggoner whose telephone number is (571) 272-8204. The examiner can normally be reached on Mon-Thu 8am-2pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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